



# LOWELL SCHOOL COMMITTEE

## *SPECIAL MEETING MINUTES*

<i>Date:</i>	December 13, 2023 and December 18, 2023
<i>Time:</i>	7:00PM
<i>Location:</i>	Mayor's Reception, 375 Merrimack Street, 2nd Floor, Lowell, MA 01852

### 1. SALUTE TO FLAG

### 2. ROLL CALL

**On a roll call at 7:42 p.m., members present were, namely: Ms. Doherty, Mr. Lay and Mayor Chau. Ms. Delrossi, Ms. Martin, Ms. Thompson and Ms. Chhoun were present on zoom.**

### 3. SPECIAL ORDER OF BUSINESS

3.1. An Executive Session may be called to discuss collective bargaining, strategies and/or possible litigation under Open Meeting Law, Chapter 30A, Section 21 (A) (B), 2, 3 of the Commonwealth of Massachusetts General Laws. Open meeting discussion may have a detrimental effect on the bargaining or litigating position of the public body.

### 4. EXECUTIVE SESSION

4.1. Item(S): Discussion on BHPK Report

**Ms. Doherty made a motion to recess at 7:42 p.m. and to enter into Executive Session for the purpose of discussing collective bargaining, strategies and/or possible litigation under open meeting law, Chapter 30A, Section 21 (A) (B), 2, 3 of the Commonwealth of Massachusetts General Laws related to discussion on the BHPK report, of which open meeting discussion may have a detrimental effect on the bargaining or litigating position of the public body, and to return to open session; seconded by Mr. Lay. 7 yeas APPROVED**

The meeting resumed on Monday, December 18, 2023 at 6:00 p.m. Members returned to Executive Session.

**The members exited Executive Session and on a roll call at 7:13 p.m., members present were, namely: Ms. Delrossi, Ms. Doherty, Mr. Lay, Mayor Chau and Ms. Chhoun. Ms. Martin and Ms. Thompson were present on zoom.**

Mayor Chau recognized Ms. Martin who is Chair of the Personnel subcommittee.



**Ms. Martin made a motion to release the redacted report from BHPK to the public as soon as possible; seconded by Ms. Doherty. 7 yeas APPROVED**

Ms. Martin stated that the Committee and the Law Department has received the redacted report.

Interim Superintendent Skinner stated that he does not have a copy of the report and stated that he can have BHPK send it to him. He asked where he should post it.

Ms. Martin stated that the law department has it and can forward. She also stated that the document can be linked to tonight's agenda.

**Ms. Martin made a motion to have BHPK release the un-redacted report to the Interim Superintendent; seconded by Mr. Lay. 7 yeas APPROVED**

Interim Superintendent Skinner asked if he should act on the report after receiving it.

Ms. Martin stated that he should review it and make recommendations to the Committee regarding policy, etc.

**Ms. Thompson made a motion to have the entire un-redacted report be given to the School Committee in an Executive Session under the confidentiality rules around Executive Session; seconded Ms. Doherty. 4 yeas, 3 nays (Ms. Delrossi, Mr. Lay, Mayor Chau)**

Mr. Lay stated that he would like the Law Department to advise the Committee on whether they should receive the report.

Ms. Doherty stated that she has concerns about BHPK and that this report has not been properly vetted. She stated that the Committee receives lots of reports of a confidential matter. She stated that she didn't get a response that she is happy with from BHPK. She stated that this Committee has worked diligently on this. She stated that although the Interim Superintendent will see this, the Committee also needs to see this in Executive Session under the terms of confidentiality in Executive Session.

Mr. Lay asked the Interim Superintendent the cost of the report.

Interim Superintendent Skinner stated that he didn't know the exact amount, but it was over \$100,000.

Mr. Lay stated that this report involves personnel and would feel better getting advice from the Law Department.

Ms. Doherty stated that the Committee asked the City Solicitor and he said it was ok.

Interim Superintendent Skinner stated that the City Solicitor said that it was ok for the redacted report to be released and that he did not speak to the un-redacted report.

Ms. Martin asked if the City Solicitor can be at the next Executive Session.



Mayor Chau stated that no one has received the un-redacted report and that he is uncomfortable with it and the legality around it.

Ms. Delrossi stated that she has concerns and would also like the City Solicitor's input.

Ms. Thompson stated that the Committee is not taking action and that they are just getting information. She stated that how does the Committee supervise someone if they don't have the information. She stated that using the City Solicitor's office has had issues in terms of availability or not having time. She stated that the Committee are held to their oath and that they can't take action. She stated that it is their job to just not be talkers, but to be doers.

**Ms. Delrossi made a motion to have the un-redacted report sent to the City Solicitor for review as well as ask him to attend the next Executive Session to advise the Committee on said report; seconded by Mr. Lay. 5 yeas, 2 nays (Ms. Doherty, Ms. Thompson) APPROVED**

#### 5. ADJOURNMENT

**Ms. Doherty made a motion to adjourn at 7:48 p.m.; seconded by Ms. Delrossi. 7 yeas APPROVED**

**Respectfully submitted,**

**Liam Skinner, Interim Superintendent and  
Secretary to the Lowell School Committee**

**LS/mes**